

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TYLER GAGE WATSON, #02401307
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VS.
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DIRECTOR, TDCJ-CID
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CIVIL ACTION NO. 4:22cv941

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak,¹ who issued a Report and Recommendation (Dkt. #13) concluding that the petition for writ of habeas corpus should be dismissed without prejudice for failure to prosecute due to Petitioner’s failure to comply with the Court’s Order (Dkt. #12) to either pay the \$5.00 filing fee or submit an *in forma pauperis* data sheet, or equivalent, reflecting Petitioner’s last six months of financial activity from his inmate trust account. Petitioner responded, stating that he had already filed a copy of his inmate trust account statement. (Dkt. #15). The Court issued an Order (Dkt. #16), explaining, as it had in its prior Order (Dkt. #12), that the document Petitioner submitted (Dkt. #11-1) did not reflect all deposits and expenditures for the last six months. The Court advised Petitioner that if he did not wish for his case to be dismissed without prejudice pursuant to the Report and Recommendation (Dkt. #13) issued on March 22, 2023, Petitioner must either pay the \$5.00 filing fee or submit an *in forma pauperis* data sheet that includes all deposits and expenditures for the last six months, no later than 5:00 p.m. on Monday, June 19, 2023. (Dkt. #16). As of this date, Petitioner has failed to comply with the Court’s Order (Dkt. #16). Thus, the case is subject to dismissal pursuant to the Report and Recommendation (Dkt. #13) issued on March 22, 2023.

¹ The case was subsequently reassigned to United States Magistrate Judge Aileen Goldman Durrett.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is accordingly **ORDERED** the petition for a writ of habeas corpus is **DISMISSED** without prejudice.

It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

SIGNED this 5th day of July, 2023.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE